

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Dontavious Mack,)	C/A No. 5:15-cv-00309-RBH-KDW
)	
)	
Petitioner,)	
)	
v.)	ORDER
)	
)	
Warden, Perry Correctional Institution,)	
)	
Respondent.)	
)	

Petitioner is a state prisoner who filed this pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On April 30, 2015, Respondent filed a Return and Memorandum to the Petition and Motion for Summary Judgment. ECF Nos. 16, 17. Because Petitioner is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of such motions and of the need for him to file an adequate response. ECF No. 18. Petitioner was specifically advised that if he failed to respond adequately, the Respondent's Motion may be granted, thereby ending this case against him.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Petitioner has failed to respond to the Motion. As such, it appears to the court that he does not oppose the Motion and wishes to abandon this action. Based on the foregoing, Petitioner is directed to advise the court whether he wishes to continue with this case and to file a response to Respondent's Motion for Summary Judgment no later than **July 15, 2015**. Petitioner is further advised that if he fails to respond, this action will be

recommended for dismissal with prejudice against Petitioner for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

June 15, 2015
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style.

Kaymani D. West
United States Magistrate Judge